BEST COPY
AVAILABLE

MONTANA LEGISLATIVE HISTORY

Chapter 409 1989

Bill H _____ S _____ Original bill & history ____C

H. Committee on State Administration			S. Committee on Local Government		
Hearing Date(s)	Jan 12	✓ C	Hearing Date(s)	Mar 14	✓ C
	Jan 13	✓ C		_____	____C
	_____	____C		_____	____C
	_____	____C		_____	____C
Date Out	Jan 13	✓ C		Mar 14	✓ C

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

HOUSE FINAL STATUS

1/13	HEARING		
1/17	COMMITTEE REPORT--BILL PASSED		
1/19	2ND READING PASSED	95	2
1/21	3RD READING PASSED	91	0
	TRANSMITTED TO SENATE		
1/23	REFERRED TO TAXATION		
1/31	HEARING		
1/31	COMMITTEE REPORT--BILL CONCURRED		
2/03	2ND READING CONCURRED	50	0
2/06	3RD READING CONCURRED	49	0
	RETURNED TO HOUSE		
2/10	SIGNED BY SPEAKER		
2/10	SIGNED BY PRESIDENT		
2/11	TRANSMITTED TO GOVERNOR		
2/15	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 17 EFFECTIVE DATE: 2/15/89		

HB 84 INTRODUCED BY HANSEN, S.
PERMIT EITHER POSTING OR PUBLISHING OF BOND ELECTION NOTICES

1/06	INTRODUCED		
1/06	REFERRED TO STATE ADMINISTRATION		
1/12	HEARING		
1/13	COMMITTEE REPORT--BILL PASSED		
1/17	REREFERRED TO STATE ADMINISTRATION		
1/18	COMMITTEE REPORT--BILL PASSED AS AMENDED		
2/18	2ND READING PASSED	72	25
2/21	3RD READING PASSED	80	16
	TRANSMITTED TO SENATE		
2/28	REFERRED TO LOCAL GOVERNMENT		
3/14	HEARING		
3/15	COMMITTEE REPORT--BILL CONCURRED		
3/17	2ND READING CONCURRED	47	0
3/20	3RD READING CONCURRED	46	0
	RETURNED TO HOUSE		
3/27	SIGNED BY SPEAKER		
3/28	SIGNED BY PRESIDENT		
3/29	TRANSMITTED TO GOVERNOR		
4/03	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 407 EFFECTIVE DATE: 10/01/89		

HB 85 INTRODUCED BY HANSEN, S., ET AL.
PROVIDE THAT DESIGNATION OF PUBLIC TIME AND PLACE TO OPEN SPECIAL IMPROVEMENT DISTRICT BIDS IS TO BE SET FORTH IN NOTICE INVITING BID PROPOSALS

1/06	INTRODUCED		
1/06	REFERRED TO LOCAL GOVERNMENT		
1/12	HEARING		
1/13	COMMITTEE REPORT--BILL PASSED AND PLACED ON CONSENT CALENDAR		
1/17	3RD READING PASSED	96	3
	TRANSMITTED TO SENATE		
1/18	REFERRED TO LOCAL GOVERNMENT		

List of Testifying Proponents and What Group They Represent:

Jack Noble, Deputy Commissioner for Management and Fiscal Affairs, Montana University System

List of Testifying Opponents and What Group They Represent:

None

Testimony:

JACK NOBLE said that when monies are deposited in the treasury, the fees must be put into the category that has been designated for the funds. He said with the proposed amendment he would support the bill.

Questions From Committee Members: None

Closing by Sponsor: None

DISPOSITION OF HB 75

Motion: Rep. Nelson moved DO PASS, seconded by Rep. Moore.

Discussion: None

Amendments and Votes: Submitted by the sponsor (Exhibit1); Rep. Russell seconded the motion. The motion CARRIED unanimously.

Recommendation and Vote: Rep. Phillips moved DO PASS AS AMENDED, seconded by Rep. Compton. The motion CARRIED unanimously.

HEARING ON HB 84

Presentation and Opening Statement by Sponsor: Rep. Stella Jean Hansen, House District 57, said that she was sponsoring the bill at the request of the Missoula County Clerk & Recorder's Office. The present law states that if a bond election is held at a general city election or at a special election, notice of the election must be given. Currently, the law requires that the notice be posted in each voting precinct at least 10 days before the election and that the notice be published at least once a week for the three successive weeks before the election on radio or television or in a newspaper of general circulation in the jurisdiction where the election will be held (13-1-108, MCA). This bill permits the notice to be posted

either in the voting precincts or published on radio or television or in a newspaper.

List of Testifying Proponents and What Group They Represent:

None

List of Testifying Opponents and What Group They Represent:

None

Questions From Committee Members:

REP. NELSON asked if school bond elections shouldn't be included if others are going to be exempt. REP. WHALEN asked if Rep. Hansen had talked to Dolores Colburg about this to see if she had any objection to including school bond elections in the exemption.

Closing by Sponsor:

Rep. Hansen said that if you think you can change the bill to include the school bond elections, it would be all right. She said she thought school bond elections would be dealt with in another section.

DISPOSITION OF HB 84

Motion: Rep. Campbell moved DO PASS, seconded by Rep. Spring.

Discussion: REP. ROTH said he thought the bill could be amended on the House Floor to include the exemption for school bond elections. REP. COCCHIARELLA thought it wold save the counties a lot of time and expense. REP. NELSON asked for Lois Menzies, Staff Researcher, to give a clarification on the bill and to delay any action. REP. CAMPBELL withdrew his motion.

DAILY ROLL CALL

STATE ADMINISTRATION COMMITTEE

51th LEGISLATIVE SESSION -- 1989

Date Jan. 12, 1989

NAME	PRESENT	ABSENT	EXCUSED
Rep. Jan Brown, Chairman	✓		
Rep. Helen O'Connell, Vice Ch.			✓
Rep. Vicki Cocchiarella	✓		
Rep. Ervin Davis	✓		
Rep. Floyd "Bob" Gervais	✓		
Rep. Janet Moore	✓		
Rep. Angela Russell	✓		
Rep. Carolyn Squires			✓
Rep. Vernon Westlake	✓		
Rep. Timothy Whalen	✓		
Rep. Bud Campbell	✓		
Rep. Duane Compton	✓		
Rep. Roger DeBruycker	✓		
Rep. Harriet Hayne	✓		
Rep. Richard Nelson	✓		
Rep. John Phillips	✓		
Rep. Rande Roth	✓		
Rep. Wilbur Spring, Jr.	✓		

VISITORS' REGISTER

STATE ADMINISTRATION COMMITTEE

BILL NO. HB 84 DATE January 12, 1989

SPONSOR Rep. S. Hansen

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Alec Hansen	MLCT	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

DISPOSITION OF HB 84

Motion: Rep. Roth moved DO PASS, seconded by Rep. Campbell.

Discussion: CHAIRMAN BROWN asked Lois Menzies for her research on the bill. Lois said that REP. NELSON had asked whether there was a statute that applied to school bond elections. She said that there is a section in Title 20 addressing this issue. Section 20-20-204 states that notification of the election can be given in two ways: either a notice can be published or it can be posted. Those are the two options in HB 84. No amendment would be needed. Information from the Missoula County Clerk and Recorder was sent around in support of HB 84 (Exhibit 1).

Amendments and Votes: None

Recommendation and Vote: The motion CARRIED, 17 - 1. All voted in favor but Rep. Compton, although not present, he had left a no vote with Chairman Brown.

ADJOURNMENT

Adjournment At: 9:25 a.m.

Jan Brown

REP. JAN BROWN, Chairman

JB/jb

1114.min

DAILY ROLL CALL

STATE ADMINISTRATION COMMITTEE

51th LEGISLATIVE SESSION -- 1989

Date January 13, 1989

NAME	PRESENT	ABSENT	EXCUSED
Rep. Jan Brown, Chairman			
Rep. Helen O'Connell, Vice Ch.			
Rep. Vicki Cocchiarella			
Rep. Ervin Davis			
Rep. Floyd "Bob" Gervais			
Rep. Janet Moore			
Rep. Angela Russell			
Rep. Carolyn Squires			
Rep. Vernon Westlake			
Rep. Timothy Whalen			
Rep. Bud Campbell			
Rep. Duane Compton			
Rep. Roger DeBruycker			
Rep. Harriet Hayne			
Rep. Richard Nelson			
Rep. John Phillips			
Rep. Rande Roth			
Rep. Wilbur Spring, Jr.			

STANDING COMMITTEE REPORT

January 13, 1989

Mr. Speaker: We, the committee on State Administration report that House Bill 84 (first reading copy -- white) do pass .

Signed: Jan Brown

Jan Brown, Chairman

MISSOULA COUNTY

EXHIBIT 1
DATE 1-13-89
HB HB 84

OFFICE OF THE CLERK AND RECORDER
RECORDING DIVISION
~~MISSOULA COUNTY COURTHOUSE~~
MISSOULA, MONTANA 59802

January 5, 1988

Please accept this written statement as evidence of support by the Missoula County Clerk & Recorder to change the requirement that notice of a city bond election be posted in the precinct ten days prior to election.

No other taxing district has this requirement and the purpose of notification can be met by publishing the announcement in the local newspaper.

Respectfully submitted,

Fern Hart
Clerk & Recorder/Treasurer
Missoula County

INVOICE

CITY CLERK
ATTN: CITY HALL

MISSOULA, MT 59802

---REMITTANCE ADDRESS---
MISSOULA COUNTY ACCOUNTING DEPT
FED. TAX ID #81-6001397
MISSOULA, MT 59802
TELEPHONE: 406-721-5700 EXT.

CUSTOMER #	INVOICE #	INVOICE DATE	DATE DUE	INVOICE A
0000000005	00001870	12-09-88	12-09-88	1,275.42

CATEGORY: ELEC ELECTIONS

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	EXT PRICE
1	E	2/35 SHARE OF ELECTION JUDGE EXPENSE		499.
1	E	SHARE OF POLLBOOKS, SUPPLIES		11.70
1	E	SHARE OF EMPLOYEE OVERTIME		32.
1	E	SHARE OF BALLOT PRINTING, PROGRAMMING		563.
1	E	SHARE OF LEGAL ADVERTISING, MISSOULIAN		124.25
1	E	COST OF POSTING NOTICES, CITY PRECINCTS		44.75

TOTAL INVOICE AMOUNT 1,275.4

legislation. The response was that they had no opposition to this request. The payroll clerk would withhold 1/2% of the officers wages.

Senator Walker stated the firefighters were the first to do this because their insurance was so exorbitant as it was number 1 on the list of most hazardous occupations and for many years they couldn't get insurance. In a group situation they can get it cheaper. The cities are willing to do it as it is a benefit they can give them without having to find the funds to do it with.

Senator Beck asked about .5 of the base salary. Senator Walker explained that they started out with $10,000 on each firefighter and as things went along they were able to get more insurance until now it is $25,000 on each, and the have $5,000 on every spouse and $5,000 on every child, so this group program is quite successful.

Senator Harding asked if someone said the police chiefs were exempt from this. Yes, they are exempt, but they may voluntarily choose to belong. Do they have to have 3/4 vote to allow them to come in? No, any officer that does not belong to the association can voluntarily apply. They can get out with a 3/4 vote.

Closing by Sponsor: Representative Bachini stated this is a very good bill from a group of people that want to help themselves, there is a need. I wish we had this legislation sooner. It will relieve pressure from city and town governments.

DISPOSITION OF HOUSE BILL 557

Discussion: None

Amendments and Votes: None

Recommendation and Vote: Senator Pinsoneault MOVED that we DO CONCUR in HB 557. The VOTE was UNANIMOUS in FAVOR of HB 557. J. D. Lynch will carry HB 557 to the Senate floor.

HEARING ON HOUSE BILL 84

Presentation and Opening Statement by Sponsor:
Representative Stella Jean Hansen, house district 57, Missoula, stated this bill is an act to make optional the requirement that a bond election notice be posted

in the voting precinct. However, they still have to publish it in the newspaper.

List of Testifying Proponents and What Group they Represent:

Marilyn Cregg, Missoula Council

List of Testifying Opponents and What Group They Represent:

None

Testimony:

Marilyn Cregg stated that this bill would change the requirement for posting notice for bonding in the voting precinct. See exhibit 1 for her complete testimony.

Questions From Committee Members: None

Closing by Sponsor: Representative Hansen closed the hearing on HB 84.

DISPOSITION OF HOUSE BILL 84

Discussion: None

Amendments and Votes: None

Recommendation and Vote: Senator Vaughn MOVED that we DO CONCUR in HB 84. The VOTE was UNANIMOUS in FAVOR of passing HB 84. Senator Vaughn will carry HB 84 to the Senate floor.

HEARING ON HOUSE BILL 440

Presentation and Opening Statement by Sponsor:
Representative Dave Brown of house district 72, Butte - Silver Bow, in strong support of HB 440. This bill proposes 1% longevity payment to county sheriffs for each year of service. The bill clearly excludes this increase in sheriff's salaries in the computation of salaries of deputy sheriffs and under sheriffs. Those salaries are set by statute based on a percentage of the sheriff's salary and that would be limited to the sheriff's base salary as set by statute. It appears it would cost each of the 56 counties around $2,000 for sheriff's longevity pay.

List of Testifying Proponents and What Group they Represent:

ROLL CALL

LOCAL GOVERNMENT COMMITTEE

51th LEGISLATIVE SESSION -- 1989 Date March 14,

NAME	PRESENT	ABSENT	EXCUSED
Sen. Ethel Harding	X		
Sen. R.J. "Dick" Pinsoneault	X		
Sen. Tom Beck	X		
Sen. Eleanor Vaughn	X		
Sen. H.W. "Swede" Hammond	X		
Sen. Mike Walker	X		
Sen. Gene Thayer	X		
Sen. Paul Boylan	X		
Sen. Bruce D. Crippen	X		

Each day attach to minutes.

SENATE STANDING COMMITTEE REPORT

March 14, 1989

MR. PRESIDENT:

We, your committee on Local Government, having had under consideration HB 84 (third reading copy -- blue), respectfully report that HB 84 be concurred in.

Sponsor: Hanren, S. (Vaughn)

BE CONCURRED IN

Signed: _____

Ethel M. Harding, Chairman

sc)ht-084.314

MISSOULA
FINANCE/CITY CLERK OFFICE
201 W. SPRUCE • MISSOULA, MT 59802-4297 • (406) 721-4700

FINANCE AND DEBT MANAGEMENT
BUDGET AND ANALYSIS
ACCOUNTING
CITY CLERK
UTILITY BILLING
RISK MANAGEMENT

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 1
DATE 3-14
BILL NO. 84

CITY OF MISSOULA
TESTIMONY ON HOUSE BILL #84

The City of Missoula supports House Bill #84 and thanks Representative Hansen for sponsoring this bill. This bill would change the requirement that a notice of a municipal general obligation bond issue be posted in each precinct prior to the election. The bill would retain the mandatory newspaper legal publication and leave posting of precincts as an additional option.

This bill was suggested by the Missoula County Clerk and Recorder after they had to post all of the precincts for our last bond issue. Wendy Cromwell, Missoula County Elections Supervisor, said that municipal G.O. Bond issues are the only elections remaining where prior posting of the precincts is still required. She suggested that posting of precincts in most cities and towns does not make much difference for voter information and may be an unnecessary expense. While we only paid $44.75 for such posting in each of the last two bond elections, the requirement does seem to be an unnecessary use of County personnel time and expense for cities. The City of Missoula would urge your concurrence to House Bill #84. A copy of the Missoula County Clerk and Recorder's support is attached to the back of this testimony.

MISSOULA COUNTY

OFFICE OF THE CLERK AND RECORDE
RECORDING DIVISION
MISSOULA COUNTY COURTHOUSE
MISSOULA, MONTANA 59802

January 5, 1989

Please accept this written statement as evidence of support by the Missoula County Clerk & Recorder to change the requirement that notice of a city bond election be posted in the precinct ten days prior to election.

No other taxing district has this requirement and the purpose of notification can be met by publishing the announcement in the local newspaper.

Respectfully submitted,

Fern Hart
Clerk & Recorder/Treasurer
Missoula County